



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

BEYER WEAVER LLP
P.O. BOX 70250
OAKLAND CA 94612-0250

COPY MAILED

DEC 17 2008

In re Patent No. 7,284,008 :
Issued: October 16, 2007 : DECISION ON APPLICATION FOR
Application No. 09/943,524 : PATENT TERM ADJUSTMENT
Filed: August 29, 2001 :
Dkt. No.: KABAP002 :

This is a decision on the "PETITION FOR CORRECTION OF PATENT TERM ADJUSTMENT BASED ON USPTO ERROR," filed November 29, 2007. This matter is being properly treated as an application for patent term adjustment under 37 CFR 1.705(d).

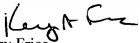
The above-identified application matured into U.S. Patent No. 7,284,008 on October 16, 2007. The instant request for reconsideration was timely filed in accordance with 37 CFR 1.705(d). The patent issued with a PTA of 731 days. Patentees argue that the patent term adjustment was improperly reduced 49 days in connection with a corrected drawing figure that was submitted August 23, 2007.

An application for patent term adjustment under 37 CFR 1.705 must be accompanied by the required fee of \$200.00. The period of time for submission of a complete application for patent term adjustment under 37 CFR 1.705 is limited to TWO MONTHS after the date of issuance of the patent and is not subject to extension of time.

The instant application for patent term adjustment lacks the required \$200.00 application fee and does not include authorization to charge the required fee to a deposit account.

In view thereof, the application for patent term adjustment under 37 CFR 1.705(d) is hereby **DISMISSED**.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.


Kerry Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy